

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Feb 02, 2018

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

JESE DAVID CASILLAS CARRILLO (2);
GABRIELA MENDOZA VASQUEZ (7);
BRITTNEY LEE ZARAGOZA (10);
SALVADOR GUDINO CHAVEZ (11);
EDGAR OMAR HERRERA FARIAS(16);
ALFREDO MAGANA GARIBAY (18); JUAN
BRAVO ZAMBRANO (19); MIGUEL REYES
GARCIA (21); AND JOSE ADRIAN
MENDOZA (23),

Defendants.

No. 4:15-CR-06049-EFS-2
4:15-CR-06049-EFS-7
4:15-CR-06049-EFS-10
4:15-CR-06049-EFS-11
4:15-CR-06049-EFS-16
4:15-CR-06049-EFS-18
4:15-CR-06049-EFS-19
4:15-CR-06049-EFS-21
4:15-CR-06049-EFS-23

**ORDER DENYING MOTION FOR
EXTENSION OF TIME TO FILE
PRETRIAL MOTIONS**

Before the Court, without oral argument, are Defendant Miguel Reyes Garcia's (21) Motion and Declaration for Extension of Time to File Pretrial Motions, ECF No. 609, and related Motion to Expedite, ECF No. 610. Defense counsel Kenneth Therrien represents that he requires additional time to investigate and research potential suppression issues and has an upcoming trial in another federal criminal case. Defendant Garcia therefore asks the Court to extend the pretrial motions deadline from February 6, 2018, to February 13, 2018. Peter Schweda, counsel for

1 Edgar Omar Herrera Farias (16), joined Mr. Therrien's motion. ECF
2 No. 611.

3 This is Defendant Garcia's fifth request for an extension of time
4 to meet a case deadline, each filed concurrently with a motion to
5 expedite. See ECF Nos. 476, 489, 497, 523, 609. The previous four motions
6 requested to extend the deadlines to file Rule 16 expert summaries. *Id.*
7 The Court granted three of Defendant Garcia's prior motions and denied
8 one as moot after granting a continuance. See ECF Nos. 481, 493, 501,
9 525, 532. Even so, Defendant Garcia did not file any expert materials.

10 The Court finds Defendant Garcia has not shown good cause to grant
11 an extension of the pretrial motions deadline. The Court issued the most
12 recent Case Management Order in this matter on September 14, 2017. See
13 ECF No. 532. That Order set a trial date of March 26, 2018, and a
14 pretrial motion deadline of February 6, 2018. *Id.* Accordingly, Defendant
15 Garcia has had more than four months to analyze discovery for potential
16 suppression issues. Further, he has not asserted that he recently
17 received any new discovery or other unforeseen circumstances have arisen
18 that would warrant such an extension. Given the current state of the
19 record, the posture of the case, and the multiple extensions already
20 granted to Defendant Garcia, the Court denies his motion. Similarly,
21 the Court finds no basis in the record to grant an extension of the
22 pretrial motions deadline as to Defendant Farias (16).

23 Accordingly, **IT IS HEREBY ORDERED:**

24 **1. Defendant Miguel Reyes Garcia's (21) Motion to Expedite, ECF**
25 **No. 610, is GRANTED.**

2. Defendant Miguel Reyes Garcia's (21) Motion for Extension of Time to File Pretrial Motions, ECF No. 609, is **DENIED**.

3. Defendant Edgar Omar Herrera Farias' (16) Joinder, ECF No. 611, to Defendant Garcia's Motion, ECF No. 609, is **DENIED**.

IT IS SO ORDERED. The Clerk's Office is directed to enter this Order and provide copies to all counsel.

DATED this 2nd day of February 2018.

s/Edward F. Shea
EDWARD F. SHEA
Senior United States District Judge